

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

TRADITIONAL LEATHER,

Plaintiff,

vs

6:06-CV-607

ATLAS REFINERY, INC.,

Defendant.

APPEARANCES:

OF COUNSEL:

TRADITIONAL LEATHER
Plaintiff, Pro Se
41 West 11th Avenue
Gloversville, New York 12078

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Attorneys for Defendant
Suite 507
Pine West Plaza
Albany, New York 12205

NANNETTE R. KELLEHER, ESQ.
CYNTHIA H. BEAUDOIN, ESQ.

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff, Traditional Leather, brought this action in Supreme Court, Fulton County, where it was removed from on May 17, 2006. By Report-Recommendation dated March 27, 2007, the Honorable Gustave J. DiBianco, United States Magistrate Judge, recommended that the defendant's motion to dismiss be granted and that the action be dismissed with prejudice for failing to obtain counsel or to request an extension of time to do so, and pursuant to Fed. R. Civ. P. 41(b). No objections to the Report-Recommendation were filed and the time to do so has expired.

Therefore, based upon a careful review of the entire file and the recommendations of Magistrate Judge DiBianco, the Report-Recommendation is accepted and adopted in whole. See 28 U.S.C. 636(b)(1).

Accordingly, it is

ORDERED that

1. Defendant's motion to dismiss is GRANTED;
2. This action is DISMISSED with prejudice; and
3. The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.



United States District Judge

Dated: April 19, 2007
Utica, New York.